UNITED NATIONS **A**

General Assembly

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A/RES/48/130
15 February 1994

Forty-eighth session
Agenda item 114 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.2)]

48/130. Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 1/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991 and 47/123 of 18 December 1992, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1993/22 of 4 March 1993, 2/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

1/ Resolution 41/128, annex.

2/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

3/ E/CN.4/1990/9/Rev.1.

4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1))(United Nations publication, Sales No. E.93.I.8 and corrigenda), vol I: Resolutions adopted by the Conference, resolution 1, annex I.

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Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights entered a new phase at its forty-ninth session in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development, and welcoming, in this regard, the decision of the Commission at its forty-ninth session to establish a working group on the right to development,

Noting that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, examined the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy those rights as set out in the International Covenants on Human Rights, 5/

Recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Welcoming the Vienna Declaration and Programme of Action, 6/ adopted by the World Conference on Human Rights, which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

Having considered the comprehensive report of the Secretary-General 7/ prepared pursuant to resolution 47/123,

1. Reaffirms the importance of the right to development for all countries, in particular the developing countries;

2. Takes note with interest of the comprehensive report of the Secretary-General prepared in accordance with General Assembly resolution 47/123;

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fiftieth session concrete proposals on the effective

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5/ Resolution 2200 A (XXI), annex.

6/ A/CONF.157/24 (Part I), chap. III.

7/ E/CN.4/1993/16

implementation and promotion of the Declaration on the Right to Development, taking into account the views expressed on the issue at the forty-ninth session of the Commission as well as any further comments and recommendations that may be submitted pursuant to paragraph 10 of Commission resolution 1993/22;

4. Notes with appreciation the convening of the first meeting of the Working Group on the Right to Development from 8 to 19 November 1993 at Geneva;

5. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration;

6. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to enhance their cooperation in its application;

7. Urges the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representatives of non-governmental and grass-roots organizations for the purpose of seeking agreements for the implementation of the Declaration through international cooperation;

8. Requests the Secretary-General to inform the Commission on Human Rights at its fiftieth session and the General Assembly at its forty-ninth session of the activities of the organizations, programmes and agencies of the United Nations system for the implementation of the Declaration;

9. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the report of the Working Group on the Right to Development;

10. Takes note with satisfaction of the results of the World Conference on Human Rights, including its reaffirmation that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing; 6/

11. Decides to consider this question at its forty-ninth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

85th plenary meeting
20 December 1993

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.2)]

48/131. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989, 45/150 of 18 December 1990, and especially 46/137 of 17 December 1991 and 47/138 of 18 December 1992, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989, 1/

Bearing in mind the Vienna Declaration and Programme of Action, 2/ adopted by the World Conference of Human Rights, held at Vienna from 14 to 25 June 1993, especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals; 3/

Reaffirming that electoral assistance is provided only at the specific request of the Member State concerned,

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1/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

2/ A/CONF/157/24 (Part I), chap. III.

3/ Ibid., sect. II, para. 67.

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Having considered the report of the Secretary-General, 4/

Noting the high level of requests for electoral assistance by Member States,

1. Takes note with appreciation of the report of the Secretary-General 4/ on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. Commends the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Unit of the Secretariat to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. Requests that the United Nations attempt to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. Recommends that the United Nations, in order to ensure the continuation and consolidation of the democratization process in Member States requesting assistance, provide assistance before and after elections have taken place, including needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process;

5. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation and the establishment by the Administrator of the United Nations Development Programme of a separate fund, the Trust Fund for Technical Assistance to Electoral Processes, and calls upon Member States to consider contributing to the funds;

6. Stresses the importance of coordination by the focal point within the United Nations system, commends the Centre for Human Rights of the Secretariat for the advisory services and technical assistance it provides and the Department for Policy Coordination and Sustainable Development of the Secretariat and the United Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the focal point to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, and with the Department for Policy Coordination and Sustainable Development and the United Nations Development Programme, and inform them of requests submitted in the area of electoral assistance;

4/ A/48/590.

7. Recommends that the United Nations continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

8. Requests the Secretary-General to provide the Electoral Assistance Unit with adequate human and financial resources, under the regular budget of the United Nations and within existing resources, to allow it to carry out its mandate;

9. Also requests the Secretary-General to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to answer, in close coordination with the Electoral Assistance Unit, the increasing number of requests from Member States for advisory services in the area of electoral assistance;

10. Recommends that, on the basis of the guidelines proposed in his report 5/ and on the basis of experience acquired over the last two years, the Secretary-General provide a revised set of guidelines for consideration at its forty-ninth session;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of resolution 47/138 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on the validity of the guidelines in the light of experience.

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5/ A/47/668 and Corr.1 and Add.1.

UNITED NATIONS **A**

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/48/632/Add.2)]

48/132. Strengthening of the rule of law

The General Assembly,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language and religion is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights, 1/ Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Aware of the need for the implementation of strengthened advisory services and technical assistance activities in the field of human rights,

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1/ Resolution 217 A (III).

Mindful of the significant role played by national institutions in the promotion and protection of universally recognized human rights and fundamental freedoms in their respective countries,

Convinced that the Centre for Human Rights of the Secretariat should play an important role in coordinating system-wide attention for human rights,

Recalling Commission on Human Rights resolution 1992/51 of 3 March 1992, 2/ and taking note of Commission resolution 1993/50 of 9 March 1993, 3/ both entitled "Strengthening of the rule of law",

Noting with appreciation that in the Vienna Declaration and Programme of Action, 4/ adopted by the World Conference on Human Rights on 25 June 1993, the Conference recommended that priority be given to national and international action to promote democracy, development and human rights,

1. Endorses the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights of the Secretariat, with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law; 5/

2. Expresses its conviction that such a programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects for the reform of penal and correctional establishments and the education and training of lawyers, judges and security forces in human rights, and in any other sphere of activity relevant to the good functioning of the rule of law;

3. Requests the Secretary-General, in accordance with the request contained in section II, paragraph 70, of the Vienna Declaration and Programme of Action, 4/ to submit concrete proposals to the General Assembly at its forty-ninth session containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme, taking into account existing programmes and activities already undertaken by the Centre for Human Rights;

2/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

3/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

4/ A/CONF.157/24 (Part I), chap. III.

5/ Ibid., sect. II, para. 69.

4. Requests the Commission on Human Rights to remain actively seized of this question, with a view to further elaborating the outline of the proposed programme;

5. Decides to continue its consideration of this question at its forty-ninth session in the light of the proposals of the Secretary-General.

85th plenary meeting
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